

Message Text

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INFO COMUS/J YOKOTA JA PRIORITY

S E C R E T STATE 100689

JOINT STATE DEFENSE MESSAGE

E.O. 11652: GDS

TAGS: MARR, JA

SUBJECT: NATIONAL DISCLOSURE POLICY

REF: STATE 082455

1. THE NATIONAL DISCLOSURE POLICY COMMITTEE (NDPC) IN RECENT MEETINGS APPROVED UPGRADING THE ELIGIBILITY LEVELS FOR JAPAN IN CATEGORIES 3 AND 4 BASED INTER ALIA ON STRONG POSITIONS TAKEN BY OUSDRE, ISA AND STATE THAT JAPAN WOULD PLAY A MORE SIGNIFICANT ROLE IN ITS DEFENSE. ALL MEMBERS CONCURRED IN THE UPGRADING REQUESTS WITH THE JCS MEMBER STIPULATING THAT HIS AGENCY'S CONCURRENCE WAS BASED ON AN EXPECTATION THAT A SECURITY SURVEY WILL BE CONDUCTED IN JAPAN WITHIN 90 DAYS (LATE JUNE, EARLY JULY - REF).

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2. FOR YOUR INFORMATION, THERE ARE THREE BASIC REQUIREMENTS WHICH MUST BE MET TO RELEASE CLASSIFIED MILITARY INFORMATION TO FOREIGN ENTITIES: (1) RECIPIENTS MUST BE ELIGIBLE TO RECEIVE THE LEVELS OF CLASSIFICATION (TOP SECRET, SECRET, OR CONFIDENTIAL) AS REFLECTED IN THE CHARTS IN ANNEX A, NDP-1; (2) ALL THE DISCLOSURE CRITERIA OF

NDP-1 MUST BE SATISFIED; AND (3) THE US OFFICIAL PROPOSING RELEASE MUST HAVE DISCLOSURE AUTHORITY.

3. THE CHARTS SET FORTH THE MAXIMUM CLASSIFICATION LEVELS WITHIN EACH CATEGORY OF CLASSIFIED MILITARY INFORMATION WHICH MAY BE RELEASED TO INDIVIDUAL FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS ONLY BY THOSE INDIVIDUALS

SPECIFICALLY DESIGNATED BY THE HEAD OF THEIR DEPARTMENT OR AGENCY. UNDER NO CIRCUMSTANCES MAY FOREIGN GOVERNMENTS OR INTERNATIONAL ORGANIZATIONS BE MADE AWARE OF THE ELIGIBILITY LEVELS CONTAINED IN THE CHARTS.

4. IN ADDITION NSDM-119 OUTLINES THE FOLLOWING OBJECTIVES ALL OF WHICH MUST BE SATISFIED IN ARRIVING AT A DISCLOSURE DECISION:

-- IT MUST BE SHOWN THAT THERE IS A CLEARLY DEFINED ADVANTAGE TO THE US THROUGH DISCLOSURE.

-- DISCLOSURE MUST BE CONSISTENT WITH US FOREIGN POLICY OBJECTIVES AND MILITARY SECURITY REQUIREMENTS.

-- THE FOREIGN RECIPIENT MUST HAVE THE CAPABILITY TO AFFORD US CLASSIFIED MILITARY INFORMATION SUBSTANTIALLY THE SAME LEVEL OF PROTECTION AGAINST UNAUTHORIZED DIS-
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CLOSURE AS WOULD BE AFFORDED TO THAT INFORMATION BE US SECURITY PRACTICES AND PROCEDURES.

-- DISCLOSURES WILL BE LIMITED TO INFORMATION NECESSARY TO THE PURPOSE OF THE DISCLOSURE, THEREFORE, IF THE PURPOSE OF THE US GOVERNMENT CAN BE SERVED BY THE RELEASE OF CONFIDENTIAL INFORMATION RATHER THAN SECRET, THE DISCLOSURE WILL BE RESTRICTED TO THE LEAST SENSITIVE INFORMATION.

5. THE DECISION TO APPROVE OR DENY THE RELEASE OF CLASSIFIED MILITARY INFORMATION RESTS IN THE FIRST INSTANCE WITH THE ORIGINATOR OF THE INFORMATION. IN MOST CASES, THIS MEANS ONE OF THE MILITARY DEPARTMENTS OR DIA; DOD DIRECTIVE 5230.11 DESIGNATES OFFICIALS WITHIN THE DEPARTMENT OF DEFENSE WHO ARE DESIGNATED AS DISCLOSURE AUTHORITIES TO DISCLOSE OR DENY US CLASSIFIED MILITARY INFORMATION ORIGINATED IN THEIR ORGANIZATIONS WITHIN THE LIMITS OF NDP-1.

6. AN EXCEPTION TO POLICY IS REQUIRED WHEN THE INFORMATION PROPOSED FOR RELEASE EXCEEDS THE ELIGIBILITY LEVEL IN THE APPLICABLE CATEGORY IN THE NDP-1 CHARTS, OR

WHERE ALL OF THE DISCLOSURE CRITERIA CANNOT BE SATISFIED.
DECISIONS ON REQUESTS FOR EXCEPTIONS TO POLICY THAT ARE
FULLY JUSTIFIED, NORMALLY REQUIRE NO MORE THAN 10 WORKING

DAYS. ONLY THE NDPC, SECDEF/DEPSECDEF, OR SECSTATE/
DEPSECSTATE MAY GRANT EXCEPTIONS TO POLICY. CHRISTOPHER

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